

DEC 30 2009

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JOHN F. CORCORAN, CLERK
BY: *J. Turk*
DEPUTY CLERK

KENNETH EDWARD BARBOUR,
Plaintiff,

v.

OFFICER J. DURHAM, et al.,
Defendants.

) Civil Action No. 7:09-cv-00488

) ORDER

) By: Hon. James C. Turk
) Senior United States District Judge

In accordance with the memorandum opinion entered this day, it is hereby

ORDERED

that plaintiff's complaint is **DISMISSED without prejudice** and **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to plaintiff.

ENTER: This 30th day of December, 2009.

James C. Turk

Senior United States District Judge